

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

MDL No. 2804

*The County of Cuyahoga v. Purdue
Pharma L.P., et al.*, Case No. 17-OP-45004

Case No. 17-md-2804

*The County of Summit, Ohio, et al. v.
Purdue Pharma L.P. et al.,
Case No. 18-OP-45090*

Hon. Dan Aaron Polster

**[PROPOSED] ORDER DISMISSING ALLERGAN FINANCE, LLC, ALLERGAN PLC,
ALLERGAN SALES, LLC, AND ALLERGAN USA, INC. WITH PREJUDICE
PURSUANT TO RULE 41(a)(2)**

WHEREAS, pursuant to the terms of a Settlement Agreement and Release (“Cuyahoga Settlement Agreement”) by an among the County of Cuyahoga, Ohio and the State of Ohio *ex rel.* Prosecuting Attorney of Cuyahoga County, Michael C. O’Malley (collectively, “Cuyahoga Plaintiffs”), on the one hand, and Allergan plc f/k/a Actavis plc; Allergan Sales, LLC; Allergan USA, Inc.; and Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc. (collectively, the “Settling Defendants”), on the other hand, Cuyahoga Plaintiffs and the Settling Defendants stipulate to and request the dismissal of the above-captioned actions as to the Settling Defendants pursuant to Federal Rule of Civil Procedure 41(a)(2); and

WHEREAS, pursuant to the terms of a Settlement Agreement and Release (“Summit Settlement Agreement”) by an among the the County of Summit, Ohio; the Summit County Public Health; and the State of Ohio *ex rel.* Prosecuting Attorney for Summit County (collectively, “Summit Plaintiffs”), on the one hand, and Allergan plc f/k/a Actavis plc; Allergan Sales, LLC; Allergan USA, Inc.; and Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc. (collectively, the “Settling Defendants”), on the other hand, Summit

Plaintiffs and the Settling Defendants stipulate to and request the dismissal of the above-captioned actions as to the Settling Defendants pursuant to Federal Rule of Civil Procedure 41(a)(2); and

WHEREAS, the Court has been presented with the Cuyahoga and Summit Settlement Agreement and finds they were entered into in good faith and that the requested dismissal is on terms the Court considers proper;

IT IS HEREBY ORDERED that the above-captioned actions are **DISMISSED WITH PREJUDICE** as to the Settling Defendants, with each party to bear its own costs, fees, and disbursements. This dismissal shall not affect the Cuyahoga or Summit Plaintiffs' claims against any other defendant.

The Court retains jurisdiction for the resolution of any disputes arising under the Settlement Agreement.

LET JUDGMENT BE ENTERED ACCORDINGLY.

SO ORDERED.

Dated: _____, 2019

HON. DAN AARON POLSTER
United States District Court